

# Exhibit A

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JS 44 (Rev. 11/04)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

DANIEL FRISCHBERG and MICHELLE PEREZ

(b) County of Residence of First Listed Plaintiff Camden  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Andrew M. Milz, Esq., Flitter Lorenz, P.C. 525 Route 73 South, Suite 200,  
Marlton, NJ 08053 (856-396-0600)**DEFENDANTS**

GLOBAL SERVICE GROUP, LLC and JOHN DOE

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |  |   |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity<br>(Indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input checked="" type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability		<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Personnel Injury		<input type="checkbox"/> 510 Selective Service
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 400 Other Civil Rights		<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 196 Franchise				<input checked="" type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	PROPERTY RIGHTS	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other Employment		<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 550 Civil Rights		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 555 Prison Condition		<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
	<input type="checkbox"/> 440 Other Civil Rights			<input type="checkbox"/> 950 Constitutionality of State Statutes
LABOR				
		<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 861 HIA (1395I)	
		<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 862 Black Lung (923)	
		<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 863 DIWC/DIWV (405(g))	
		<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 864 SSID Title XVI	
		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 865 RSI (405(g))	
		<input type="checkbox"/> 791 Emplo. Ret. Inc. Security Act		
SOCIAL SECURITY				
			<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
			<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
FEDERAL TAX SUITS				

**V. ORIGIN**

(Place an "X" in One Box Only)

 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or  5 Transferred from another district (specify) 6 Multidistrict Litigation

Appeal to District Judge from Magistrate Judgment

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
47 U.S.C. 227**VI. CAUSE OF ACTION**Brief description of cause:  
Telephone Consumer Protection Act**VII. REQUESTED IN COMPLAINT:** CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  No**VIII. RELATED CASE(S)  
IF ANY**

(See instructions:

JUDGE

DOCKET NUMBER

DATE

6/19/17

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

DANIEL FRISCHBERG

and

MICHELLE PEREZ

Plaintiffs,

vs.

GLOBAL SERVICE GROUP, LLC

and

JOHN DOE,

Defendants.

CIVIL ACTION NO.

**COMPLAINT**

**I. INTRODUCTION**

1. This is an action for damages brought by two consumers for violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 (hereinafter “TCPA”), Fair Debt Collection Practices Act, 15 U.S.C. §1692 (“FDCPA”), and state law.

2. Defendants harassed the Plaintiffs with autodialed collection calls over a bogus account that neither owed in violation of the TCPA. All of these calls were made without Plaintiffs’ consent in violation of the TCPA. Defendants also violated the FDCPA, which prohibits misleading and harassing conduct in the effort to collect a debt.

3. Defendants harassed the Plaintiffs with repeated autodialed collection calls to their cell phones, in violation of the TCPA and FDCPA.

**II. JURISDICTION AND VENUE**

4. This Court has federal question subject matter jurisdiction over Plaintiffs’ TCPA and FDCPA claims pursuant to 28 U.S.C. § 1331; *Mims v. Arrow Fin. Ser., Inc.*, 132 S.Ct. 740 (2012).

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5. Supplemental jurisdiction for Plaintiff's state law claims arises under 28 U.S.C. § 1337.

6. Venue in this Court is proper in that Plaintiffs reside here, the conduct complained of occurred here, and the Defendants transact business here.

**III. PARTIES**

7. Plaintiff Daniel Frischberg is a natural person residing in Cherry Hill, NJ.

8. Plaintiff Michelle Perez is a natural person residing in Cherry Hill, NJ.

9. Plaintiffs are brother and sister.

10. Defendant Global Service Group, LLC ("Defendant" or "GSG") is a company located in Chicago, Illinois, the principal purpose of which is to assist other companies in managing and collecting overdue accounts. *See* <http://globalsvcgroup.com/>. GSG is a debt collector pursuant to the FDCPA.

11. John Doe is the agent of GSG, is currently unknown, and will be determined through additional investigation and discovery.

12. Defendants will be referred to collectively as "GSG Defendants."

**IV. FACTUAL ALLEGATIONS**

13. Plaintiff Daniel Frischberg has a cellular telephone number assigned to a mobile phone that he carries on his person and regularly uses.

14. At all relevant times, Frischberg's phone number was assigned to a cellular telephone service that he used and paid for.

15. Plaintiff Michelle Perez has a cellular telephone number assigned to a mobile phone she carries on her person and regularly uses.

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16. At all relevant times, Perez's phone number was assigned to a cellular telephone service that she used and paid for.

17. Within the past four years, GSG Defendants began placing calls to Plaintiffs' cellular telephones.

18. Plaintiffs never had any account with GSG Defendants. Indeed, neither had ever even heard of GSG Defendants.

19. During these calls, GSG Defendants indicated they were calling to collect an alleged pay day loan.

20. Plaintiffs have no liability for any such debt.

21. GSG knew that Plaintiffs have no liability for any such debt.

22. Plaintiffs separately instructed GSG Defendants that they had no liability for the debt, and that GSG Defendants may not call their cell phones.

23. Despite Plaintiffs' instruction, the GSG Defendants continued to make calls to Plaintiffs' cell phones.

24. At no time did GSG Defendants have consent to call Plaintiffs' cellular phones.

25. GSG Defendants knew they did not have consent to call Plaintiffs' cell phone numbers.

26. GSG Defendants called Plaintiffs' cellular telephones using an automated telephone dialing system or artificial or prerecorded voice.

27. One of the voicemails Plaintiff Frischberg received said, in its entirety:

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**Hello, this is Beth from Global Services, please call me back at 888-240-0182 regarding a personal matter. Thank you.**

28. The callers, the GSG Defendants, did not properly or completely identify themselves during each of its calls.

29. Plaintiffs did not consent to any of the calls that are the subject of this case.

30. GSG Defendants made at least 15 illegal calls to Plaintiff Frischberg.

31. GSG Defendants made at least 15 illegal calls to Plaintiff Perez.

32. The illegal telephone calls made by GSG Defendants were intentionally, willfully, and knowingly initiated.

33. Plaintiffs were substantially damaged and harmed by the violations alleged herein. GSG Defendants' calls and collection attempts caused aggravation and frustration, deprived Plaintiffs of the use of their phones, invaded their personal privacy, and wasted their time. Additionally, Plaintiffs' incurred a reduction in their cellular battery life as a result of GSG Defendants' calls.

**STATEMENT OF CLAIM**

**COUNT ONE: TELEPHONE CONSUMER PROTECTION ACT**

34. Plaintiffs repeat the allegations contained above as if the same were here set forth at length.

35. The acts and omissions by Defendants above constitute violations of the Telephone consumer Protection Act, 47 U.S.C. §227(b)(1)(A)(iii).

36. For example, Defendants violated the TCPA when it used an automatic telephone dialing system to call Plaintiffs' cellular telephone without consent.

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37. Additionally, Defendants violated the TCPA by calling Plaintiffs' cell phone and played prerecorded or automated messages.

38. As a result of Defendants' actions, Plaintiffs are entitled to an award of actual damages or \$500.00, whichever is greater, for each such violation and an injunction prohibiting future conduct in violations of the TCPA.

39. Plaintiffs were damaged by these violations.

40. Defendants' violations were committed willfully and knowingly. Defendants knew that they did not have Plaintiffs' consent to call, and knew that the TCPA prohibited its prerecorded and autodialed calls, but made the calls to Plaintiff in spite of this.

**WHEREFORE**, Plaintiffs respectfully request that judgment be entered against Defendants for the following:

- a. Statutory damages for each call, pursuant to the TCPA;
- b. A declaration that Defendants' calls violate the TCPA and must cease;
- c. Such other and further relief as the Court shall deem just and proper.

**COUNT TWO: FAIR DEBT COLLECTION PRACTICE ACT**

40. Plaintiffs repeat the allegations contained above as if the same were here set forth at length.

41. The Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, prohibits unfair acts and omissions in connection with collection of a debt

42. Defendants' actions and omissions as described above violate the FDCPA.

43. For example, it was a violation of the FDCPA for GSG not to adequately identify itself as a debt collector in its voicemails and calls to Plaintiffs. 15 U.S.C. §1692e, e(11).

44. Plaintiffs were damaged by these violations.

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45. Defendants' actions and omissions as described above are otherwise deceptive, unfair, and constitute violations of the FDCPA.

**WHEREFORE**, Plaintiffs request that the Court enter judgment in favor of Plaintiffs and against Defendants, as follows:

- a. Statutory and actual damages under the FDCPA;
- b. Costs of suit, and attorney's fees; and any other relief the Court finds proper.
- c. Such other and further relief as the Court shall deem just and proper.

**COUNT THREE – INVASION OF PRIVACY**

46. Plaintiffs repeat the allegations contained above as if the same were here set forth at length.

47. Defendants, through their conduct, have repeatedly and intentionally invaded Plaintiffs' privacy.

48. Defendants' tactic of repeatedly auto dialing Plaintiffs, despite demands for the calls to stop, is highly offensive to a reasonable person.

49. Defendants intentionally intruded upon each Plaintiffs' solitude and seclusion.

50. As a result of Defendants' action or inaction, Plaintiffs have each been damaged.

51. The repetitive, auto-dialed calls to Plaintiffs have caused emotional harm and distress, embarrassment, humiliation, and other losses.

52. The calls to Plaintiffs by Defendants are harassing, aggravating and highly intrusive.

**WHEREFORE**, Plaintiffs request that the Court enter judgment in favor of Plaintiffs and against Defendants, as follows:

- a. Damages;

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- b. Punitive damages;
- c. Such other and further relief as the Court shall deem just and proper.

**V. DEMAND FOR JURY TRIAL**

Plaintiffs demands a trial by jury as to all issues so triable.

Respectfully submitted:

Date: 6/19/17



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